

No. 302, A.]

[Published May 19, 1953.

CHAPTER 140

AN ACT to amend 316.03 and 316.10 of the statutes, relating to the sale of real estate in county court.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 316.03 of the statutes is amended to read:

316.03 If the petition shows that it is necessary to sell, mortgage or lease real estate *or that the sale of the real estate would be for the best interests of the estate or the heirs* the court shall fix the time for hearing the petition, and notice thereof shall be given as provided by s. 324.18. The creditors need not be notified of the hearing unless the court so orders.

SECTION 2. 316.10 of the statutes is amended to read:

316.10 If it shall appear that the money required cannot be raised by mortgage or lease, advantageously to the estate, *or that the sale of the real estate would be for the best interests of the estate or the heirs*, the court shall order a sale of so much of the real estate as shall be sufficient with the available personal estate to pay such expenses and debts and legacies. The court may direct the executor or administrator, either alone or together with other owners of such real estate, to make, acknowledge and record a plat of such real estate in manner and form prescribed in ch. 236.

Approved May 14, 1953.
